



## **Request for City Council Committee Action From the Department of Public Works**

**Date:** September 30, 2003  
**To:** Honorable Sandra Colvin Roy, Chair Transportation & Public Works Committee  
Honorable Barbara Johnson, Chair Ways & Means Committee

**Subject:** Conduct a Public Hearing and approve the sale of excess public land, 3<sup>rd</sup> Street North between 21st and 22nd Avenues North to Marigold Foods at the price of \$32,920.

### **Recommendation:**

1. To approve the sale of said excess public land to Marigold Foods at the price of \$32,920.
2. That the City Council authorize the proper City Officials to execute a quit claim deed conveying the property to Marigold Foods.
3. That proceeds from the sale of said excess land be deposited in Fund 4100-923-9247, revenue source 3485.

### **Previous Directives:**

- July 22, 1999 City Council resolution vacating 3<sup>rd</sup> St. N. between 21<sup>st</sup> and 22<sup>nd</sup> Avenues N.
- August 26, 2003, Transportation and Public Works Committee set public hearing for September 16, 2003.

**Prepared by:** Dennis Morris, Engineering Services Division, 673-2428

**Approved by:** \_\_\_\_\_  
Klara A. Fabry, P.E., City Engineer, Director of Public Works

**Presenters:** Dennis Morris, Right of Way Supervisor

### **Financial Impact** (Check those that apply)

- ☐ No financial impact - or - Action is within current department budget.  
(If checked, go directly to Background/Supporting Information)
- ☐ Action requires an appropriation increase to the Capital Budget
- ☐ Action requires an appropriation increase to the Operating Budget
- ☐ Action provides increased revenue for appropriation increase
- ☐ Action requires use of contingency or reserves
- ☒ Other financial impact (Explain): Revenue increase for Fund 4100. An appropriation increase will be requested at a later date.
- ☐ Request provided to the Budget Office when provided to the Committee Coordinator

### **Background/Supporting Information:**

Marigold Foods has requested the purchase of excess vacated public land from the City of Minneapolis. The State of Minnesota Highway Department (MnDOT) had conveyed the land to

the City in September of 2000. Marigold Foods intends to incorporate this land into their surface parking lot.

The City and Marigold have agreed upon a sale price of \$32,920.00 for the property. The property is approximately 16,000 square feet in size and the price reflects a value of \$2.06 per square foot. Due to easements and restrictions imposed by MnDOT in their conveyance to the City and considering the limited economic use of this parcel, we believe this is a fair offer.

Sales of public land are regulated by Chapter 14.120 of the Minneapolis Code of Ordinances and the Professional Services Procurement and Real Estate Transactions Manual as adopted by the Council. In accordance with those provisions, the City Assessors Office has reviewed and approved the sale amount, the Planning Commission has approved the sale, the Permanent Review Committee has approved the sale and the City Engineer has declared the land to be of no public use. The final step is to hold a public hearing regarding the sale prior to approval by the City Council.

Attachment 1 - Aerial map of site.

Cc: Council Member Donald Samuels, 3rd Ward  
Ms. Susan Steinwall  
Fredrikson & Byron  
1100 International Ctre  
900 2<sup>nd</sup> Ave S  
Mpls, Mn 55402-3397

**T&PW** - Your Committee recommends passage of the accompanying report approving the sale of excess public right of way to Marigold Foods at a price of \$32,920. The property to be sold is legally described as follows:

Parcel B

That part of the West 1/2 of vacated 3<sup>rd</sup> Street North per Document No. 7154896 as dedicated in the Town of North Minneapolis, Hennepin County, Minnesota, lying southerly of the easterly extension of the north line of Lot 1, Block 1, Reno's Addition to Minneapolis,

and which lies northwesterly of the following described line:

Beginning at a point on the south line of Lot 8, Block 1 of said addition, 155.00 feet easterly of the southwest corner thereof, thence run northeasterly to a point on the easterly extension of the north line of Lot 7, Block 1, said addition, distant 25.82 feet easterly of the northeast corner of said Lot 7; thence run northeasterly to a point on the easterly extension of the north line of Lot 5, Block 1, said addition, distant 40.00 feet easterly of the northeast corner of said Lot 5 to its intersection with said centerline of vacated 3<sup>rd</sup> Street North and there termination.

Parcel C

That part of Lots 5, 6, 7, 8, 9 and 10, Block 1 Reno's Addition to Minneapolis, Hennepin County, Minnesota, lying easterly of the following described line:

Beginning at a point on the east line of said Lot 5, distant 15.00 feet northerly of the southeast corner thereof; thence run southwesterly to a point on the south line of said Lot 5, distant 5.00 feet westerly of the southeast corner thereof; thence run southwesterly to a point on the south line of said Lot 7, distant 130.00 feet east of the southwest corner thereof; thence run southwesterly to a point on the south line of said Lot 9, distant 95.00 feet east of the southwest corner thereof; thence southwesterly to a point on the south line of said Lot 10, distant 58.00 feet east of the southwest corner thereof and there terminating,

and which lies westerly of the following described line:

Beginning at a point on the south line of said Lot 10, distant 118.00 feet easterly of the southwest corner thereof thence run northeasterly to a point on the south line of said Lot 8, distant 155.00 feet easterly of the southwest corner thereof; thence run northeasterly to a point on the easterly extension of the north line of said Lot 6, distant 40.00 feet easterly of the northeast corner thereof, said line terminates at its intersection with the east line of said Lot 8.